

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RALPH HOFFNER, ANTHONY LONGO, ANTHONY
TOMASZEWSKI and KENNETH REESE, as participants and/or
former participants of the SAND, GRAVEL, CRUSHED
STONE, ASHES AND MATERIAL YARD WORKERS LOCAL
LOCAL UNION NO. 1175 LUNA PENSION FUND AND
WELFARE FUND ON BEHALF OF THEMSELVES AND ALL
PERSONS SIMILARLY SITUATED,

Plaintiffs,

vs.

JOE D'AMATO, FRANK OMBRES, RONALD VALDNER,
ALEXANDER MIUCCIO, FRANK P. DIMENNA and/or their
successors, and JOHN DOES 1-4, IN THEIR CAPACITY
AS TRUSTEES OF THE SAND, GRAVEL, CRUSHED STONE,
ASHES and MATERIAL YARD WORKERS LOCAL UNION
NO. 1175 LUND PENSION FUND and WELFARE FUND,

Defendants.

Case No. 09-3160 (PKC) (CLP)

STIPULATION AMENDING DISCOVERY ORDER

It is hereby stipulated by and between the Parties, by their undersigned counsel, that:

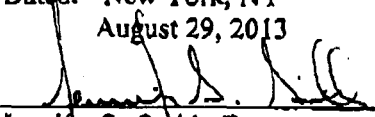
A) the time of the Parties to exchange any expert reports is hereby extended from August 31, 2013 to:

- 1) September 27, 2013 for reports concerning the Pension Fund; and
- 2) October 11, 2013 for reports concerning the Welfare Fund; and

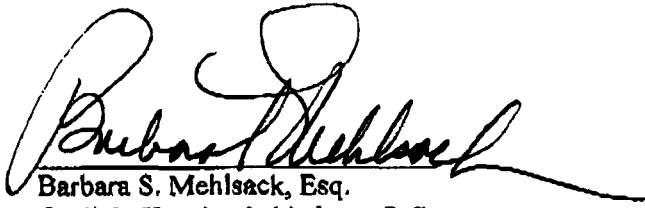
B) the time of the Parties to "meet and confer" regarding expert deposition dates is extended from August 31 to October 13, 2013; and

C) the time of the Parties to promulgate deposition notices to experts is extended from September 16, 2013 to October 25, 2013.

Dated: New York, NY
August 29, 2013


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Attorneys for Plaintiffs


Barbara S. Mehlsack, Esq.
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Attorneys for Defendants

So Ordered:


/s/ CHERYL POLLACK
Hon. Cheryl Pollack, USMJ

8/30/13